



## *The Quality Chicken People*

ALLEN HARIM FOODS, LLC

126 NORTH SHIPLEY STREET  
SEAFORD, DELAWARE 19973-3100  
TEL (302) 629-9136 • FAX (302) 629-0514



November 21, 2012

Glenn F. Davis  
Program Manager, Surface Water Discharges Section  
State of Delaware - DNREC  
89 Kings Highway  
Dover, DE 19901

SENT VIA CERTIFIED MAIL  
#7011 1570 0000 1098 8950

RE: COMPLIANCE SAMPLING & INSPECTION RESPONSE  
18752 Harbeson Road  
Harbeson, DE 19951  
BPE Project: AL-130-18

Dear Mr. Davis:

This will serve as a follow up to your conversation with Ernie Wroten last week and continued update correspondence dated July 11, 2012.

Based on the July 11, 2012 letter, DNREC has noted the following deficiencies/observations and Allen Harim Foods, LLC (Allen Harim) has provided the following responses to those deficiencies/observations:

- The ground areas around the "Live Hold" station are not blacktopped and are only stoned. During any heavy rain event or in the case where a sump may plug up or become inoperable in this area, runoff rain water will travel over the stoned area prior to being collected at the 002 or 003 Outfall sumps. There is a strong potential for this run-off from the Live Hold area to be highly contaminated, and is being absorbed into the stoned area and into the ground. DNREC personnel from the Surface Water Discharges Section will be in contact

*"Preparing Food for our Families"*

with representatives from Allen's Harim Foods, LLC to discuss sampling of any run-off water coming from this live hold area, and the potential for contamination of the ground water. It is highly recommended that the areas around the live hold section are blacktopped to allow the storm water that may be contaminated to be able to flow directly to the 002 and/or 003 sumps for pumping to the treatment plant, and eliminate this potential for contamination to the ground water.

While the Department is aware that this is no easy assessment/fix, the situation does need to be given serious consideration and evaluation. As stated in your letter "Allen Harim is currently evaluating the ground area around the Live Hold station." Please forward a brief monthly update report to the Department that will update progress on this evaluation. This progress report shall include a projected time-line for decisions on what actions will be taken in this critical area.

*As stated previously, and as you have observed, Allen Harim has in place a maintenance schedule for the Live Hold station, which includes regular clean out of the "Live Hold" station and associated drains. Allen Harim has finished an evaluation of the "Live Hold" station and determined that the addition of a structural Best Management Plan (BMP), specifically impervious berms adjacent to the covered "Live Hold" station, will provide additional containment of any potential contaminants generated or deposited in this structure. Allen Harim has attached a design titled "Harbeson Cooling Shed Containment" showing the location and specifications of the berms. Although comingling of storm water and materials in the "Live Hold" station has not previously been observed by Allen Harim, the implementation of the noted structural BMP will completely enclose and capture any liquids generated within the "Live Hold" station. A drain in the center of the "Live Hold" station allows accumulated liquids to be pumped to the Outfall 003 sump. From the Outfall 003 sump, the liquids are conveyed to the wastewater treatment plant. Upon DNREC approval of the enclosed design, Allen Harim will put the project to bid.*

- It was again noted during this inspection, that the old “Anaerobic Pond” is no longer used as part of the Process Wastewater Treatment Plant, and is basically just being used as a permanent storage lagoon (surface impoundment). It is obvious that the pond liner is in disrepair and “bubbling up and surfacing” in many areas...most likely from trapped anaerobic gasses, and at times there is a real odor issue. Allen’s Harim Foods, LLC cannot continue to utilize this surface impoundment as a permanent storage facility for poultry process and sanitary waste. Please reference the attachment to this letter, which shows some highlighted regulations from Title 7 Natural Resources & Environmental Control, Delaware Administrative Code, 7103 Guidance and Regulations Governing the Land Treatment of Wastes; these areas address sludge storage and the requirement for a sludge storage permit...etc.

The steps proposed by Allen Harim Foods, LLC have demonstrated satisfactory initial corrective action for this item. As stated in your letter of July 6, 2012, “within 60 days, Allen Harim will establish a plan for the old Anaerobic pond, and a copy will be forwarded to the Department.”

*Based on our discussion, including your suggestion, Allen Harim plans to use this Anaerobic Pond as an overflow pond, when needed, for the Harbeson facility. Allen Harim has received all bids, completed a capital expense request (CER), and submitted it to management for approval. Upon approval of the CER, Allen Harim will complete the plan previously submitted to DNREC, which consists of:*

- *Allen Harim will remove the top cover of the anaerobic pond;*
- *Allen Harim will remove the large vegetation in the anaerobic pond;*
- *Once the cover has been removed, Allen Harim will transfer this liquid to the facility’s wastewater treatment plant for treatment and subsequent discharge of treated effluent. The length of time to complete this task will be based on treatment plant usage and available treatment capacity.*

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Operations & Maintenance Manuals (individual) are available for the equipment utilized in the Wastewater Treatment Plant, however, nothing is very organized and extremely hard to document. The plant must develop a systematic and formal Operations and Maintenance Manual that is reviewed on a regular basis, and contains documented evidence that the manual is being reviewed/updated, and approved. This item has been discussed during several annual inspections, and must be addressed.

**Allen Harim will have the Operations & Maintenance Manual ready for review by plant official by December 21, 2012.**

Please feel free to contact me if you have any questions or concern.

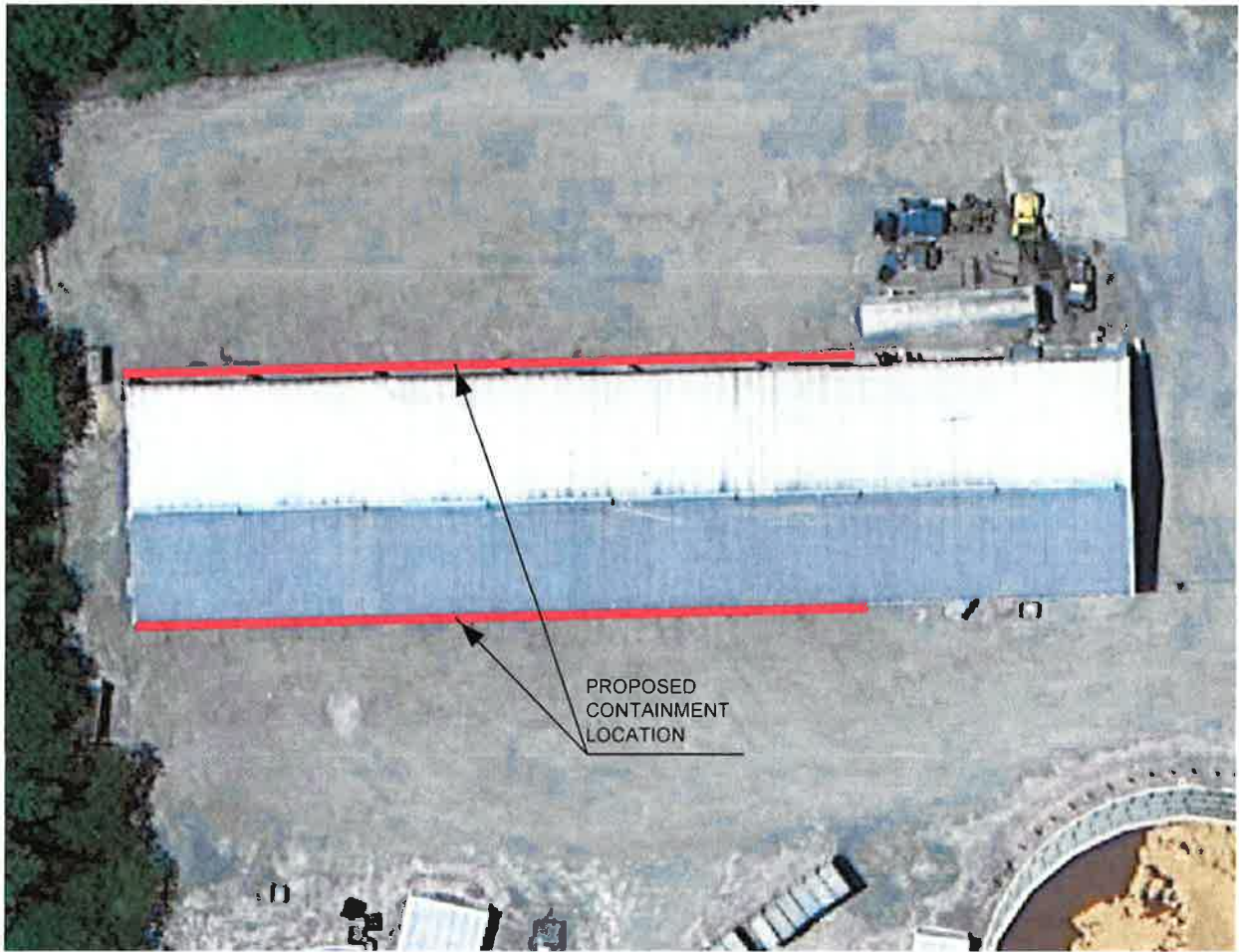
Sincerely,



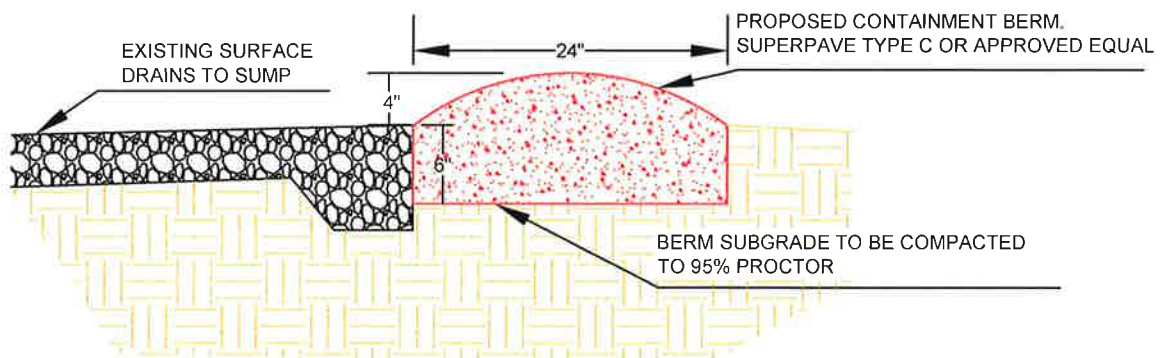
Henry Quathamers  
Maintenance/Engineering Manager

Attachment: Harbeson Cooling Shed Containment

cc: Michael Sause, Allen Harim Foods, LLC  
Ernie Wroten, Allen Biotech, LLC  
Lou Ann Parson, BP Environmental, Inc.  
File



### COOLING SHED BERM EXTENTS



### CONTAINMENT BERM DETAIL

HARBESON COOLING SHED CONTAINMENT

NOT TO SCALE

11.12.2012

DRAWN BY: JMR

